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**Subject:** Triangle Biz Journal: N.C. farmer, developer talk high stakes for the Atlantic Coast Pipeline

### [Triangle Biz Journal: N.C. farmer, developer talk high stakes for the Atlantic Coast Pipeline](#)

Federal court filings show an Atlantic Coast Pipeline eminent domain summons with Nash County farmer Marvin Winstead's name on it is coming.

“Our hope really boils down to [N.C. Department of Environmental Quality] doing its job and denying the permits,” Winstead says.

On the other side of the issue, however, economic developers say the stakes are high, too.

Carolinas Gateway Partnership CEO Norris Tolson says he’s in talks with two projects in Edgecombe County and one in Nash County where “if we do not get the gas pipeline, they will not consider this area, because they are major gas users.”

One of those projects would mean 1,200 jobs, he says. And, with Chinese tire maker Triangle Tyre already committing to bring a new 800-job manufacturing operation to the region, early conversations with suppliers mean even more manufacturing opportunities for the state.

“And they all use natural gas,” he says.

But Winstead says the project would jeopardize his livelihood – and those of similarly situated farmers in the region.

Winstead comes from generations of farmers, with rotating fields of soybeans, wheat, corn, cotton, and sometimes tobacco and sweet potatoes.

“Those fields would never be productive again, I don’t care what they say,” he says. ACP officials have said repeatedly that, while property owners couldn’t build on land housing the pipeline, it wouldn’t significantly interrupt farming operations – something Winstead says conflicts with his research.

Last week, Winstead became the latest North Carolina landowner to be named in an eminent domain complaint by ACP. While he had yet to be served his summons Thursday, federal court records show ACP is seeking to acquire the rights for about 11.6 acres of his farm.

“Atlantic and the Owner have been unable to agree upon the compensation to be paid,” the document states.

Winstead says no sum of money would be just compensation for something he feels would endanger his crops.

And Winstead sees a potential ally in the state.

NCDEQ, instead of issuing many of the same certificates already delivered by regulators in Virginia and West Virginia, has gone back to ACP asking for more information. The latest of these was issued Jan. 4, when NCDEQ’s Division of Energy, Mineral and Land Resources issued a letter of disapproval for the erosion and sediment control plan for the northern portion of the pipeline route proposed for the state. Not an absolute disapproval, it requires ACP to submit additional information before the state will grant its certificate.

All through last year, ACP had said the goal was to start construction in 2017. And, when the Federal Energy Regulatory Commission issued its approval late last year, it looked like it could happen until the state started issuing its requests. Both men want the state to outline its stance and make a decision. Tolson calls the project "critical," and says it has the capability of eclipsing the lost Toyota-Mazda plant when it comes to jobs some day.

Winstead wants Gov. Roy Cooper's help in resisting the project.

"We all wish that Governor Cooper would come out, just like he did about offshore drilling," Winstead says. "I wish he would say, 'no Atlantic Coast Pipeline in our state,' but I understand for political reasons why he might not take that stance."

Cooper's office didn't respond to a request to comment on the issue.

ACP spokesman Aaron Ruby says that, project-wide, ACP has been unable to reach agreements with just 20 percent of landowners. He has declined to disclose a state-by-state breakdown of that figure.

But Friday, ACP got special permission from the feds to start doing some preliminary vegetation clearing and tree felling on properties where it's already reached agreements with landowners.

ACP now says it expects to obtain all remaining approvals "in time to begin construction in the early spring," with the full project reaching completion in late 2019.

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